

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 06-3947 (PAM/JSM)

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ROGER DEAN TOM,)
)
Defendant.)

ORDER

This matter comes before the Court on scheduling issues related to the Government's Petition to Determine Sexually Dangerous Person Due For Release Under 18 U.S.C. § 4248 (Docket No. 1). The subject of the Petition, Respondent Roger Dean Tom, is incarcerated in the District of Minnesota for aggravated sexual abuse in violation of 18 U.S.C. § 2241(c), pursuant to a sentence imposed by the United States District Court for the District of Utah. Respondent was scheduled for release on October 4, 2006, with 60 months of supervised release to follow. The Federal Public Defender's Office has been appointed to represent the Respondent and has sought the Court's guidance as to the filing of Motions.

Based upon all the files, records, and proceedings herein, the Court being duly advised, it now makes and enters the following Order:

1. All motions shall be filed on or before March 7, 2008.
2. All responses to motion shall be filed on or before April 4, 2008.
3. A hearing on the motions shall be held on April 17, 2008, at 10:30 a.m. before the Honorable Paul A. Magnuson.

4. If after the Court determines the motions an evidentiary hearing is necessary and/or authorized, the hearing shall be held before Magistrate Judge Janie S. Mayeron. The hearing shall be held pursuant to the provisions of 18 U.S.C. § 4248 to determine (a) if Respondent should remain in custody, (b) if Respondent is a sexually dangerous person, or (c) whether the Court should commit Respondent to the custody of the Attorney General for care or treatment pursuant to 18 U.S.C. § 4248 until suitable state placement may be found or until Respondent is no longer sexually dangerous to others, or until he is no longer sexually dangerous to others if released under a prescribed regimen of medical, psychiatric, or psychological care or treatment.

Dated: February 11, 2008

s/Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge